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BEFORE THE ARIZONA CORPORATION COMMISSION

2009 MAY 22 P 4: 50

**COMMISSIONERS**

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BOB STUMP

AZ CORP COMMISSION  
DOCKET CONTROL

Arizona Corporation Commission

DOCKETED

MAY 22 2009

DOCKETED BY

IN THE MATTER OF THE APPLICATION  
OF JOHNSON UTILITIES, LLC, DBA  
JOHNSON UTILITIES COMPANY FOR AN  
INCREASE IN ITS WATER AND  
WASTEWATER RATES FOR CUSTOMERS  
WITHIN PINAL COUNTY, ARIZONA.

DOCKET NO. WS-02987A-08-0180

**NOTICE OF COMPLIANCE  
WITH REQUIREMENT TO FILE  
OPENING BRIEF ON THE  
ADMISSIBILITY OF SWING  
FIRST GOLF'S TRANSCRIPT**

Johnson Utilities, LLC, dba Johnson Utilities Company ("Johnson Utilities" or "Company") hereby files this Notice of Compliance ("Notice") with the Arizona Corporation Commission ("Commission") with respect to the filing of its Opening Brief on the Admissibility of Swing First Golf's Transcript into evidence in the above-captioned proceeding.

At the April 28, 2009, hearing, the Administrative Law Judge ("ALJ") ordered the parties to submit Opening Briefs regarding the Company's objection to the admissibility of the transcript into evidence offered by Swing First Golf. The ALJ also ordered that the transcript would remain sealed until the Commission ruled on the admissibility of the transcript. Because Johnson Utilities' Opening Brief contains numerous quotations, citations, and summaries of various portions of the sealed transcript, it would be very difficult to redact the Company's Opening Brief in such a manner so that a redacted version of the Opening Brief would be meaningful. Accordingly, Johnson Utilities has hand-delivered to each of the parties that have signed a Protective Agreement, the ALJ,

Snell & Wilmer

LLP  
LAW OFFICES  
One Arizona Center, 400 E. Van Buren  
Phoenix, Arizona 85004-2102  
(602) 382-6000

1 and counsel for Swing First Golf, a confidential copy of Johnson Utilities' Opening Brief  
2 and is filing this Notice in the Docket.

3 RESPECTFULLY SUBMITTED this 22nd day of May, 2009.

4 SNELL & WILMER L.L.P.

5  
6 By   
7 Jeffrey W. Crockett

8 Robert J. Metli

9 One Arizona Center

400 E. Van Buren

Phoenix, AZ 85004-2202

10 Attorneys for Johnson Utilities, LLC

11 ORIGINAL and 13 copies filed this  
12 22nd day of May, 2009, with:

13 Docket Control

ARIZONA CORPORATION COMMISSION

1200 West Washington Street

Phoenix, Arizona 85004

16 COPIES of the foregoing hand-delivered this  
22nd day of May, 2009, to:

17 Teena Wolfe, Administrative Law Judge

18 Hearing Division

19 ARIZONA CORPORATION COMMISSION

1200 W. Washington Street

Phoenix, Arizona 85007

21 Ayesha Vohra, Staff Attorney

22 Legal Division

ARIZONA CORPORATION COMMISSION

23 1200 W. Washington Street

24 Phoenix, Arizona 85007

1 Ernest Johnson, Director  
2 Utilities Division  
3 ARIZONA CORPORATION COMMISSION  
4 1200 W. Washington Street  
5 Phoenix, Arizona 85007

6 COPIES of the foregoing hand-delivered/mailed  
7 this 22nd day of May, 2009, to:

8 Craig A. Marks  
9 CRAIG A. MARKS, PLC  
10 10645 N. Tatum Blvd., Suite 200-676  
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12 Attorney for Swing First Golf, LLC

13 Daniel W. Pozefsky, Chief Counsel  
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